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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,794	12/21/2005	Michael Held	W1.2126 PCT-US	5861
7590 Douglas R Hanscom Jones Tullar & Cooper P O Box 2266 Eads Station Eads Station Arlington, VA 22202			EXAMINER TAWFIK, SAMEH	
			ART UNIT 3721	PAPER NUMBER
			MAIL DATE 07/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/561,794

Applicant(s)

HELD ET AL.

Examiner

Sameh H. Tawfik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 17-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/21/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Claims 17-29 have been examined.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “at least one deflector is a comb having teeth assigned to said spur needles.”; as been claimed in claim 21 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

The disclosure is objected to because of the following informalities:

In the specification, page 7; delete “, in” by the end of each figure’s description.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson et al. (U.S. Patent No. 6,843,763) in view of Bullen et al. (U.S. Patent No. 4,445,881).

Jackson discloses the claimed folding apparatus as disclosed in Fig. 2 except of the deflector on spur cylinder nor the means for moving the deflector. However, Bullen discloses a similar folding apparatus comprising the teaching of using deflector extends radially outwardly beyond the cylinder and means of moving the deflector as shown in Fig. 3; via 38.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Jackson’s folding apparatus by using a deflector, as suggested by Bullen, in order to lift the web sections off the cylinder to avoid jam (column 3, lines 18-20).

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Regarding claim 18: Bullen discloses that the deflector is retracted and extended in respect to a transfer gap, see for example Fig. 3; via the gap between the cylinders and cam 46.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Jackson's folding apparatus by using a retracted and extended deflector, as suggested by Bullen, in order to lift the web sections off the cylinder to avoid jam (column 3, lines 18-20).

Regarding claim 20: Bullen discloses that the cylinder 16 has an axis of rotation and the deflector 38 extends parallel to the axis of rotation via the thickness of the roller.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Jackson's folding apparatus by using a deflector parallel to the axis of rotation of the cylinder, as suggested by Bullen, in order to lift the web sections off the cylinder to avoid jam (column 3, lines 18-20).

Regarding claim 26: Bullen discloses that the deflector discloses an incline face via side portions of the roller 38.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Jackson's folding apparatus by using a deflector with incline face, as suggested by Bullen, in order to lift the web sections off the cylinder to avoid jam (column 3, lines 18-20).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied references as applied to claim 17 above, and further in view of Steen et al. (U.S. Patent No. 2,775,171).

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Jackson in view of Bullen does not disclose the deflector having teeth assigned to the spur needles. However, Steen discloses a similar folding apparatus with the use of teathed rollers/wheels to be assigned to the needles as disclosed in Fig. 1; via at the teathed rollers 72 and 73 and rollers 103 and 154.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Jackson in view of Bullen's folding apparatus by using a toothed assigned to the spur needles, as suggested by Steen, in order to control the speed of the roller and the folding operation more efficient.

#### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470. The examiner can normally be reached on Tuesday - Friday from 9:00 AM to 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sameh H. Tawfik  
Primary Examiner  
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A handwritten signature in dark ink, appearing to read 'Sameh', with a long, sweeping horizontal stroke underneath.

ST.